

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Jacob Daniel Rheault,)	
)	
Plaintiff,)	Case No. 3:12-cv-21
)	
vs.)	ORDER ADOPTING
)	REPORT AND RECOMMENDATION
City of Fargo, North Dakota, Fargo Police)	
Department, North Dakota, Officer Sarah)	
Cruze, Individually, and Officer)	
Christopher Helmick, Individually,)	
)	
Defendants.)	

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, recommending that the defendants' motion for summary judgment (Doc. #36) be granted, the defendants' motion for a hearing (Doc. #40) be denied, and Jacob Daniel Rheault's complaint (Doc. #7) be dismissed. No party has objected to the Report and Recommendation (Doc. #51).

The Court has reviewed the Report and Recommendation, along with the entire record in this matter, and finds that the Magistrate Judge's position is correct. For the reasons outlined by the Magistrate Judge, the Court **ADOPTS** the Report and Recommendation in its entirety and **ORDERS** that the defendants' motion for summary judgment is **GRANTED**. The defendants' motion for a hearing is **DENIED** and Rheault's complaint is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 25th day of June, 2013

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court